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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,751	11/12/2003	Gianfranco Stratico	AX-120 Div	8884
1473	7590	06/07/2004	EXAMINER	
FISH & NEAVE 1251 AVENUE OF THE AMERICAS 50TH FLOOR NEW YORK, NY 10020-1105			KIM, SANG K	
			ART UNIT	PAPER NUMBER
			3654	

DATE MAILED: 06/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/712,751	Applicant(s) STRATICO ET AL. 2	
	Examiner SANG KIM	Art Unit 3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-21 and 23-26 is/are rejected.
- 7) ☒ Claim(s) 3,4 and 22 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/1/04</u> . | 6) <input type="checkbox"/> Other: ____ |

Specification

The specification is objected to because on page 1, 1st paragraph, a division of United States Patent Application Serial No. 09887898 status should be updated with a U.S. Patent No. 6732971 B2. Correction is required. See MPEP § 608.01(b).

Claim Objections

Claim 16 is objected to because of the following informalities: Applicant is required to spell out the claim language instead of using reference characters, such as a combination of a and b. Note: Markush claim 16 will be examined because it does not present a serious burden to the examiner, since the search is so closely related. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-19 and 21-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 13, "removably fixed" is indefinite and vague. What is considered to be "removably fixed"? Is applicant trying to say "detachable"?

In claim 6, line 7, "removably secured" is indefinite and vague. What is considered to be "removably secured"?

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In claim 6, line 8, "said of said" is indefinite and vague.

In claim 7, line 12, "removably secured" is indefinite and vague. What is considered to be "removably secured"?

In claims 21-22, and 24, the phrase, "releasably fixing" is indefinite and vague. What is considered to be "releasably fixing"?

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 5-7, 18-21, and 23-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Luciani, U.S. Patent No. 4982908.

With respect to claims 1-2, 5, 20-21, and 23-26, Luciani teaches a method by showing an apparatus (no reference number, see figures 1-13) for winding a wire coil on at least one dynamoelectric machine component (18), said apparatus having an axis of rotation (axis of revolving table 10) and comprising: at least two component assembly stations (load/unload 13, terminating 16, winding 15 stations); at least one support member (10) configured to rotate about said axis, said support member (10) having a distal portion (edge of the table where housing 12 is attached, claim 5, inherently well known in the industry which the material comprises steel) away from said axis of rotation, said support member (10) configured to transfer said machine component (18)

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between said stations (load/unload 13, terminating 16, winding 15 stations); and at least one machine component housing (12), wherein said housing (12) is detachable to a corresponding distal portion; and said housing (12) projects from said corresponding distal portion (claim 2, cantilevered); away from said axis of rotation, as shown in figures 3-4.

With respect to claims 6-7, Luciani shows said housing (12) has a central axis (no reference number, a centroid of housing); a top (no reference number), a bottom (no reference number), and a side (no reference number), said side extending between said top and said bottom; said top, said bottom, and said side are substantially parallel to said central axis, as shown in figure 5.

With respect to claims 18-19, Luciani shows said housing (12) comprises: a hollow interior portion defined by an interior surface (no reference number, a central cavity); an exterior surface, top, bottom and side; and at least one shroud locking blade (32) fixed to the frame (no reference number) and extends and slide into said interior portion; said frame is slidable with respect to said housing (12) in a direction substantially parallel to said central axis, as shown in figure 5.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luciani, U.S. Patent No. 4982908.

With respect to claims 8-10, Luciani shows a clamp (32) partially disposed inside said housing (12, see figures 7 and 10) and configured to secure a machine component inside said housing (12); and a first actuator (cylinder 64", spring 38 etc.) member, wherein said first actuator member is secured to said clamp (32); said first actuator member extends through said side (see figure 10); and said first actuator member is configured to reciprocate with respect to said central axis, (claim 9, an opposite side of the apparatus), (claim 10, a fork appendix 35) as shown in figures 7 and 10.

Luciani does not show a clamp (32) disposed inside said housing completely. It would have been obvious to one having ordinary skill in the art at the time the invention was made to dispose the clamp inside the housing to prevent any mechanical interference.

With respect to claims 11-17, Luciani shows a drive device (64, 38) is disposed outside of said housing (12) and fixed to said support member (10); said support member with an attachment member (part of 28, which holds the housing 12) which is actuated by cylinders and springs, as shown in figure 6.

Allowable Subject Matter

Claims 3-4 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sang Kim whose telephone number is (703) 305-3712. The examiner can normally be reached Monday through Friday from 8:00 A.M. to 5:30 P.M. alternating Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (703) 308-2688. The fax phone numbers are (703) 872-9326 for regular communications and (703) 872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

SK

5/27/04

A handwritten signature in cursive script that reads "Kathy Matecki".

KATHY MATECKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600